IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.216/2005

Santram S/o Shri Moolaram
...plaintiff-appellant
Versus
Bastiram S/o Shri Moongaram
...defendant-respondent

Date of Order ::: 21.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri M.M. Ranjan, Counsel for plaintiff-appellant
Shri Manoj Pareek, Counsel for defendant-respondent
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By the Court:-

Heard learned counsel for the parties.

The plaintiff-appellant filed a suit for declaration and permanent injunction, which was dismissed by the lower court. The judgment and decree passed by the lower court has been affirmed by the first appellate court also.

I have heard the learned counsel for the parties and after considering their submissions in the light of the findings of both the courts below, I find that the controversial issues involved in the present case relate to the questions of fact and there is concurrent finding of fact by both the courts below,

which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//